



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Linda Benedetti and
Tim O'Sullivan, Manager 2,
Information Processing (PS3381K),
Department of Human Services

Examination Appeals

CSC Docket Nos. 2018-1908 and
2018-1911

ISSUED: APRIL 9, 2018 (SLK)

Linda Benedetti and Tim O'Sullivan appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Manager 2, Information Processing (PS3381K), Department of Human Services. These appeals have been consolidated due to common issues presented.

The examination at issue was announced with specific requirements that had to be met as of the August 21, 2017 closing date. The education requirement was a Bachelor's degree. The experience requirements were six years of experience in work involving information processing feasibility studies, project management, and resource allocation in a multiplatform environment. Three years of the required experience shall have been in a supervisory capacity, one year of which involved supervising second-line supervisors or middle managers. Applicants who did not possess the required education could substitute four years of additional nonsupervisory experience as described above. A total of three employees applied for the subject examination which resulted in a list of one eligible with an expiration date of December 27, 2019. It is noted that the subject list has not yet been certified.

Agency Services credited Benedetti, who does not possess a Bachelor's degree, with four months of general, supervisory, and second-level supervisory experience based on her provisional service in the subject title from May 2017 to the August 21, 2017 closing date and five years of general and supervisory experience based on her

service as a Supervisor of Information Technology from June 2012 to May 2017. However, it determined that Benedetti lacked four years and eight months of general experience and eight months of second-level supervisory experience.

Agency Services credited O'Sullivan, who also does not possess a Bachelor's degree, with four months of general, supervisory, and second-level supervisory experience based on his provisional service in the subject title from May 2017 to the August 21, 2017 closing date and five years of general and supervisory experience based on his service as a Supervisor of Information Technology from June 2012 to May 2017. However, it determined that O'Sullivan lacked four years and eight months of general experience and eight months of second-level supervisory experience.

On appeal, Benedetti indicates that she possesses an Associate's degree in Information Technology and contends that this degree is the equivalent of two years of experience. She presents that she has been working for the Department of Human Services for over 40 years and highlights the various information technologies that she has worked on throughout her career. Benedetti submits certifications illustrating the various information technology training she received throughout her career. She attaches a letter from her immediate supervisor, Edward Michalak, Assistant Division Director, in support of her appeal.

O'Sullivan highlights his various information technology responsibilities that he has performed while serving as a Network Administrator 1, Network Administrator 2, and Supervisor, Information Technologies. He submits certifications illustrating the various information technology training he received throughout his career. O'Sullivan attaches a letter from his immediate supervisor, Mr. Michalak, in support of his appeal.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that Benedetti and O'Sullivan did not meet the required experience requirements. However, it cannot be ignored that Benedetti and O'Sullivan have well over 10 years of information technology experience, have received various information technology training throughout their careers, and have well of three years of information technology supervisory experience. Additionally, based on their provisional service in the subject title, Benedetti and O'Sullivan have gained the required information technology second-level supervisory experience after the closing date. Further, given that the subject list is incomplete and Benedetti and O'Sullivan continue to serve provisionally in

the subject title, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of their work experience and training and their second-level supervisory experience after the closing date, for eligibility purposes only, in order to admit them to the subject examination.

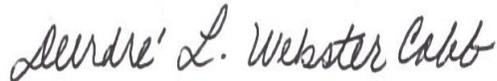
It is noted that this remedy is limited to the particular circumstances of this matter and does not set a precedent in any other matter.

ORDER

Therefore, it is ordered that these appeals be granted and Linda Benedetti's and Tim O'Sullivan's applications be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 4th DAY OF APRIL, 2018



Deirdre L. Webster Cobb
Acting Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Linda Benedetti, 2018-1908
Tim O'Sullivan, 2018-1911
Lori Mattozzi
Kelly Glenn
Records Center